

Notice of Allowability

Application No.

10/026,157

Examiner

ANTHONY J BLACKMAN

Applicant(s)

KITAHARA ET AL.6

Art Unit

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/4/04.
2. ☒ The allowed claim(s) is/are 1-39.
3. ☒ The drawings filed on 18 December 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 6/02; 6/03, 7/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Response to Amendment

1. The information disclosure statement filed 8/13/2004 has been considered and signed by examiner.

The information disclosure statement filed July 11, 2003 citing US Patent No. 6,206,504 has been considered by examiner.

The information disclosure statements filed June 21, 2002 and July 18, 2003 do not have the accompanying information disclosure statement references in the file.

Therefore, The information disclosure statements filed June 21, 2002 and July 18, 2003 are not considered.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance: none of the prior art, including the following cited references of CHAN et al, US Patent No.

5,111,302; SEKIZAWA et al, US Patent No. 5,278,641; nor HARRINGTON, US Patent No. 5,966,461 either alone or together expressly teach or suggest recited claim.

Limitations and features of claims 1, 13, 25 and 37-39. Examining CHAN et al, figure 1, element 10 discloses image capture, image conversion from RGB to CYM (figure 1, elements 12 and 14), followed by error diffusion and then pixel assignment gray scaling (figure 1, element 16) to a color printer (figure 1, element 18), however, the pixel assignment gray scaling is not determined using luminance or brightness levels.

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Examining SEKIZAWA et al, figures 1 and 8 both describe image capture (figures 1 and 8, elements 11), a first set of brightness conversions (figures 1 and 8, elements 12-15), and a second brightness conversion (figures 1 and 8, elements 15-17) sent to an output unit (figures 1 and 8, elements 18), however, does not disclose a pixel assignment unit. Finally, examination of HARRINGTON, discloses image capture (figure 5, element 12), however, uses both chrominance and luminance adjustments are performed in the luminance processor of figure 5. accordingly, limitations and features of independent claims 1, 13, 25 and 37-39 meet conditions for allowance including respective independent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANTHONY J BLACKMAN whose telephone number is 703-305-0833. The examiner can normally be reached on FLEX SCHEDULE.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MATTHEW BELLA can be reached on 703-308-6829. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ANTHONY J BLACKMAN
Examiner
Art Unit 2676



MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600